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STRATTON SEEKING TO BAR PROMOTION

Diplomat Accused of Mylai
Suppression Is Cited

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WASHINGTON, July 31 — Representative Samuel S. Stratton, Democrat of upstate New York, is seeking to block the promotion of a career United States diplomat accused of having helped suppress news of the Mylai killings.

The diplomat, James May of California, is currently administrative officer in the United States Embassy at Mogadishu, Somalia. On June 20, the State Department recommended him for promotion from Foreign Service officer grade 3 to grade 2. Grade 2 salaries start at \$28,000.

Mr. May's name was one of 230 sent to the Senate for promotion, appointment or reappointment in the Foreign Service. Many on the new list have been challenged by the American Federation of Government Employees and by other critics as having neither "academic or professional work records similar to those of Foreign Service officers," or being deficient in foreign languages and of being favorites of the State Department's administrative staff.

A Senior Adviser

Mr. May was provincial senior adviser to the Governor of Quangngai province in South Vietnam at the time of the Mylai incident on March 16, 1968. The hamlet of Mylai is in that province.

On July 15, 1970, a House armed services investigating subcommittee, headed by Representative Edward F. Hébert, Democrat of Louisiana, published a report on Mylai censuring Mr. May, among others, for "concerted action among military and State Department officers to suppress all evidence of the allegation and its investigation."

The failure of the Mylai incident "to have been reported fully and promptly up through three different channels of command in Vietnam," the committee found, "was as much a failure on the part of the top State Department officers involved as the top Army commanders." The report noted that Mr. May had available "State Department and Central Intelligence Agency channels and indicated skepticism over his assertion—backed by the State Department—that he was unaware of the killings."

Mr. Stratton, a Navy veteran who has made four visits to Vietnam, was a member of the subcommittee investigating the Mylai incident. He has written all members of the Senate Foreign Relations Committee opposing Mr. May's promotion. Last Monday, he testified in closed session before the committee.

Two Generals Cited

"Generals Koster and Young were demoted, reprimanded and otherwise punished," Representative Stratton said in an interview. "I don't see why State Department officers who were there at the time and were there at the time and who did nothing to report the facts should now be promoted."

In the aftermath of the Mylai incident, Maj. Gen. Samuel W. Koster, who had commanded the Americal Division, the parent unit involved in the action, was demoted to brigadier general and censured. He lost the Distinguished Service Medal awarded him in Vietnam. He was also relieved as superintendent of West Point. His former deputy in Vietnam, Brig. Gen. George H. Young Jr., was also censured. He has since retired.

William B. Macomber Jr., Deputy Under Secretary of State for Management, said this week that William G. Hall, Director-General of the Foreign Service, had investigated Mr. May's case and had concluded that there was no proof of the Congressional charges. Mr. Macomber said that the promotion list had been held up until Mr. May's case could be investigated.

Mr. Macomber disclosed that Mr. May had voluntarily submitted to a lie-detector test—carried out here a few weeks ago for the State Department by Scientific Lie Detector, Inc., of New York. Mr. May passed the test, Mr. Macomber said. Congressional sources said that the State Department was being asked by letter to respond both to Mr. Stratton's criticisms of Mr. May and to charges that many on the new promotion list were "unqualified."

"Selected Out"

John D. Hemenway, a Pentagon official who in 1969 was "selected out" of the Foreign Service—dismissed for failure to be promoted fast enough—cited the State Department's Biographic Register to support his charge that, "above the level of FS-7, about 90 per cent are unfit for promotion." Of the 230 names on the list, he said, 160 are recommended for promotions, appointments or reappointments above the grade of FS-7. Foreign Service grades rise from FS-8 to FS-1—a rank normally held by ambassadors and senior officials.

Of the 160, Mr. Hemenway said, 63 are being recommended for grades FS-5 and FS-4, 83 per cent of these, he said, are administrative—as distinct from political, economic or consular—officers; 86 per cent speak no foreign language, and 57 per cent have no college degree.